

W/A

**IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE,
AT NASHVILLE- DIVISION I**

STATE OF TENNESSEE)

vs.)

No. 99-B-1290)

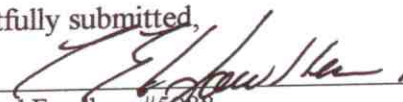
PERRY AVRAM MARCH)

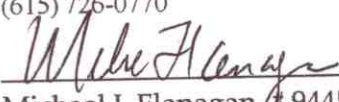
MOTION FOR SEQUESTRATION

Comes the Defendant, **PERRY AVRAM MARCH**, by and through counsel, C. Edward Fowlkes and Michael J. Flanagan, and moves that the jury in the above styled cause be sequestered. Under common law the jury had to be physically kept together "within the presence of each other from the time they took their oath until they rendered their verdict." Gonzales v. State, 593 SW 3d 288 (Tenn. 1980), Raybin, Tenn.Cr.P & P§25.82. The Defense request that this court take judicial notice that each of the cases in which Mr. March has been involved have been highly publicized and that the above styled cause will likely to be covered gavel to gavel. Separation of the jury during selection as well as separation after swearing of the jury will (with little doubt) expose the jury to improper influences tainting the jury pool and venire respectively.

Defendant therefore moves that an Order issue sequestering the jury after they sworn as required by law and held in the assembly room prior to being called for selection as required by caution. Or in the alternative the hall be cleared of media personnel.

Respectfully submitted,


C. Edward Fowlkes, #5988
172 Second Avenue North, Suite 210
Nashville, TN 37201
(615) 726-0770


Michael J. Flanagan, # 9445
95 White Bridge Road, Suite 208
Nashville, Tennessee, 37205
(615) 356-1580

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Motion was forwarded by U.S. Mail, postage prepaid, to Amy Eisenbeck and Ben Winters, Assistant District Attorney General, at 222 Second Ave. N., Nash., TN 37201, on this 22 day of February, 2006.


C. Edward Fowlkes

THIS MOTION IS EXPECTED TO BE HEARD ON MARCH __, 2006 AT 9:00 A.M.

2006 FEB 22 11:55 AM
DAVIDSON COUNTY
CLERK